

CHAPTER 10: MIOSHA Posting

The ***MIOSHA Administrative Rules - Part 13, Inspections and Investigations, Citations and Proposed Rules*** requires all Michigan employers to have a copy of the “Michigan Safety and Health Protection On The Job” poster (CET #2010) displayed in a conspicuous location. The poster must be located in an area accessible to all employees in the facility.

More than one poster may be needed in larger facilities. The poster may be ordered free of charge by calling the Consultation, Education and Training Division of the Michigan Department of Consumer and Industry Services or the Division of Occupational Health (see Where To Go For Help in the MIOSHA Overview).

The poster may be ordered free of charge by calling the Consultation, Education and Training Division of the Michigan Department of Consumer and Industry Services at 517-322-1809.



Commonly this poster would be found in areas where employees regularly visit (e.g., breakrooms, cafeterias, locker rooms) and areas where other federal and state required postings are found (e.g., employment minors, minimum wage, etc.).

MICHIGAN SAFETY AND HEALTH PROTECTION ON THE JOB

THE MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, 1974 P.A. 154, AS AMENDED, REQUIRES POSTING OF THIS DOCUMENT IN A CENTRAL AND CONSPICUOUS LOCATION. FAILURE TO DO SO MAY RESULT IN A PENALTY.

The Michigan Occupational Safety and Health Act (MIOSHA) - Act No. 154 of the Public Acts of 1974, as amended - provides job safety and health protection for Michigan employees through the maintenance of safe and healthful working conditions. Under MIOSHA and a state plan approved in September, 1973 by the U.S. Department of Labor, the Michigan Department of Consumer & Industry Services is responsible for administering the Act. Department representatives conduct jobsite inspections and investigations to ensure compliance with the Act and with safety and health standards.

The contents of this poster describe many important provisions of the Act. These provisions apply equally to employers and employees in either private industry or the public sector.

EMPLOYER REQUIREMENTS: MIOSHA requires that each employer:

1. Furnish to each employee employment and a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to the employee;
2. Comply with promulgated rules and standards and with orders issued pursuant to the Act.
3. Post this and other notices and use other appropriate measures to keep his or her employees informed of their protection and obligations under the Act, including the provisions of applicable rules and standards.
4. Notify the Michigan Department of Consumer & Industry Services within 8 hours of any fatality, or the hospitalization of 3 or more employees suffering injury or illness from the same incident. Notification may be accomplished by calling 1-800-858-0397.
5. Make available to employees, for inspection and copying, all medical records and health data in the employer's possession pertaining to that employee.

COMPLAINTS: Employees and employee representatives who believe that an unsafe or unhealthful condition exists in their workplace have the right to request an inspection by giving written notice to the Department of Consumer & Industry Services. If a condition exists which may present an immediate danger, the Department should be notified in the most expedient manner without regard to a written notice. The names of complainants will be kept confidential and not revealed upon the request of the employee. Employees also have the right to bring unsafe or unhealthful conditions to the attention of the department representative during the conduct of an inspection or investigation.

The Act provides that employees may not be discharged or in any manner discriminated against for filing a complaint or exercising any of their rights under the Act. An employee who believes he or she has been discriminated against may file a complaint with the Michigan Department of Consumer & Industry Services within 30 days of the alleged discrimination.

The U.S. Department of Labor is monitoring the operation of the Michigan occupational safety and health program to assure the effective administration of the state act. Any person may make a written complaint regarding the state administration of the state act directly to the Regional Office of OSHA, 230 South Dearborn, Chicago, Illinois 60604.

CITATIONS: If upon inspection or investigation the Department of Consumer & Industry Services believes that a requirement of the Act has been violated, a citation alleging such violation and setting a time period for correction will be issued to the employer. The citation must be prominently posted at or near the place of the alleged violation for three days or until the violation is corrected, whichever is later.

The Act provides for first instance penalties of up to \$7,000 for a violation. Penalties of up to \$7,000 per day may be assessed for failure to correct a violation within a proposed abatement period. Any employer who willfully or repeatedly violates the Act may be assessed penalties of up to \$70,000 for each such violation. Employers may appeal the alleged citation, the proposed penalties or the abatement periods to the Department and to the Board of Health and Safety Compliance and Appeals. Employees may appeal the